

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA

VS.

JAMES CHISTOPHER BENVIE

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CAUSE NO.: 19-CR-1715-RB

**FIRST UNOPPOSED MOTION TO
CONTINUE TRIAL SETTING**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, JAMES CRHISTOPHER BENVIE, Defendant, through his attorney, Orlando Mondragon, hereby moves this Honorable Court to continue the jury trial currently set for October 15, 2019. Defendant requests that the court issue an order to continue the trial setting for 60 days.

1. Defendant is set for Jury Selection and Trial on October 15, 2019 at 9:00 a.m.
2. Undersigned was appointed on August 13, 2019. Discovery was received on August 21, 2019. Defendant is at the halfway house in Albuquerque, New Mexico. There is a protective order concerning the discovery which prevents undersigned counsel from providing a copy of the discovery to the Defendant. Counsel has to schedule a time to travel to Albuquerque and review discovery with the Defendant and discuss all his options and defenses.
3. Counsel is still in negotiations and is requesting additional time to continue to review discovery and continue negotiations. Counsel needs additional time to adequately prepare for this case.
4. Undersigned has notified Attorney Renee Camacho, and she does not oppose the request for Continuance.

5. This is the first continuance sought by undersigned counsel. Therefore, undersigned counsel is requesting for the Hearing to be reset for sixty (60) days after October 15, 2019.
6. This motion is not made for purposes of delay but that justice may be done.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Court enter its order continuing this cause, or, in the alternative, sets this motion for hearing.

Respectfully submitted,

By: /s/ Orlando Mondragon
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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of September 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsels of record in this cause.

/s/ Orlando Mondragon

Attorney for JAMES CHRISTOPHER BENVIE